

Region 1

Hot Topics

Public Meetings Provide PFAS Information at Fort Devens, MA

On April 23, citizens group PACE (People of Ayer Concerned about the Environment) held an informational meeting about PFAS in the town of Ayer, MA. Topics discussed included: potential impacts to the town water system, presence of PFAS in everyday consumer products and diets, and the status of Grove Pond Wellfield. An additional public meeting is being held Ayer on April 25. Massachusetts Department of Environmental Protection (MADEP) will be presenting on its new proposed MCP cleanup goals for PFAS in groundwater and soil, as well as the pending revision of its drinking water guideline to 20 ppt for the sum of six PFAS.

Region 1 Moves Forward on Notice of Intent for Partial Deletion at South Weymouth Naval Air Station

On April 19, MADEP provided a concurrence letter on the proposed notice of intent for partial deletion of the U.S. Coast Guard Buoy Depot Operable Unit of the South Weymouth Naval Air Station site. The final draft notice has been submitted to HQ for concurrence.

Pollution Prevention Grant Assists Food & Beverage Smart Sector

On April 16, Region 1 staff collaborated with the Vermont Department of Conservation to provide assistance and training to breweries as part of a 2018 Pollution Prevention grant. The Region is developing a video to showcase results of the effort that will ultimately be made available to other breweries and state partners working with this Smart Sector.

Region 1 Issues Three Clean Water Act Orders

Region 1 issued a Clean Water Act Administrative Order to Ryan Marine Services, Inc. a boat and engine repair and storage facility in Marblehead, MA, for discharging process wastewater and stormwater into Marblehead Harbor without a National Pollutant Discharge Elimination System (NPDES) permit. The Order requires Ryan Marine to cease the discharge and to comply with its newly issued Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activities.

Region 1 issued an Administrative Order to GBC Metals, LLC, d/b/a Somers Thin Strip Brass Group for discharging untreated or partially treated wastewater via an outfall of the City of Waterbury, CT's MS4 to the Naugatuck River without authorization of an NPDES permit. To minimize recurrence of future unauthorized discharges, the Order requires that Somers Thin Strip revise its Spill Prevention, Control, and Countermeasure Plan and prepare a Wastewater Conveyance System Asset Management Plan.

Region 1 issued a CWA Administrative Order to the Middlesex School in Concord, MA for violations of the effluent limits contained in its NPDES permit. The Middlesex School owns and operates a wastewater treatment facility that discharges to Spencer Brook. The Order requires the School to submit a wastewater treatment facility evaluation report and schedule outlining the steps that it will take to comply with its permit. The School previously paid a penalty for its permit noncompliance.

Region 1 Offers Compliance Assistance

On April 24, Region 1 staff provided technical assistance and training on EPCRA Tier2 reporting at the annual Northeast Ice-Skating Managers Association meeting in Springfield, MA. Attendees included New England ice arena and curling facility owners and operators.

Upcoming Major Decisions and Events

Nothing to report this week.

Region 2

Hot Topics

Lodging of Consent Decree (CD) for Ringwood Mines Superfund Site

We expect that on 5/2 the CD for Operable Unit 2 (OU2) of this site in Passaic County, NJ will be lodged in district court. The site was the location of iron ore mining operations and now includes abandoned mine pits and shafts, a closed municipal landfill, and 48 residential properties. The primary contaminants are lead and arsenic. The State of New Jersey is a co-plaintiff with EPA, and Ford Motor Company and the Borough of Ringwood are the settling defendants. The CD requires them to: (i) implement the remedial action selected by EPA for OU2 of the Site, with an estimated cost of \$17.6 M; (ii) reimburse EPA and the State for projected future costs of overseeing the performance of the remedy; and (iii) pay \$3.6 M to EPA and \$2.1 M to NJ in reimbursement of past costs. The site remains controversial in the community; while the OU2 selected remedy provides for capping of the landfill disposal sites, a number of local residents wish that the O'Connor Disposal Area (one of three areas that make up the site) would be entirely excavated.

Limetree Bay Terminal (LBT) and Limetree Bay Refining

The remaining issue regarding the methodology to use to estimate the short-term emission rate for the Environmental Justice analysis was resolved on 4/18. The Office of Air in HQ and R2 are in agreement that the method proposed by LBT for determining a short-term emission rate for the dispersion model was a reasonable approximation. LBT's consultant was given the green light to proceed with the remainder of the EJ modeling protocol, which is expected within the next two weeks.

Passaic River Superfund Site, NJ

On 4/23 RA Pete Lopez and staff, in coordination with staff from the New Jersey DEP, hosted a meeting for federal, state and local elected officials to update them on the status of the Passaic River site. The focus was the planned Interim Remedy for the upper 9 miles of the Lower Passaic River; an update on the design work for the remedy in the lower 8 miles was also provided. The meeting was well attended, with many questions, most of which focused on dredging and flooding.

Announcement and Promotion of Brownfields Week

Region 2 will be announcing and promoting EPA's Brownfields Week in Puerto Rico, holding 3 workshops in San Juan, Ponce and Mayaguez during the week of May 6. Target audiences include local government agencies, municipalities, and NGOs that can apply to Brownfields redevelopment grants. Among other opportunities, we will focus on ways in which brownfield sites and grants can be used to further the Commonwealth's goals for alternate energy production.

Proof of Claim for Costs and Stipulated Penalties Filed in Tonawanda Coke Corporation (TCC) Bankruptcy

On 4/11 EPA's proof of claim was filed in the TCC bankruptcy case. TCC is the owner of a now-shuttered coke manufacturing plant in Tonawanda, NY, which TCC operated from 1978 until mid-October 2018, when the company filed for bankruptcy. EPA's significant prior involvement at the plant resulted in, among other things, a 2015 consent decree that resolved certain EPA civil claims under the CAA, CWA, and EPCRA. TCC has violated the terms of that consent decree, and approximately \$2 million in stipulated penalties have accrued. Since the closure of the TCC plant, EPA has performed time-critical CERCLA removal activities at the facility to secure and stabilize conditions. In the proof of claim, EPA made a general unsecured claim for the stipulated penalties due under the 2015 consent decree, as well as pre-petition CERCLA removal costs. EPA also filed a protective, unsecured claim for post-petition removal costs, including the \$2.2 million already expended at the site. EPA stated in the filing that such post-petition costs are entitled to administrative expense priority and reserved the right to file an application for administrative expenses in the future.

Quanta Superfund Site, Edgewater, NJ

Honeywell, the PRP, started erecting tents on 4/22; these are designed to capture vapors emitted during soil treatment, which is scheduled to begin on 5/6. RA Pete Lopez and staff met with the public on 4/18 to discuss vapor control, which was the main concern of attendees.

Upcoming Major Decisions and Events

Nothing to report this week.

Region 3

Hot Topics

Brownfields Site Reopens as Historic Roxian Theater, McKees Rocks, Pittsburgh, PA

The historic Roxian Theatre in McKees Rocks, PA will celebrate a grand reopening on May 10, 2019 with events that feature some heavy-hitting national acts and a night dedicated to community fanfare. The date will also celebrate the 90th anniversary of the venue's original opening in 1929 as a vaudeville theater. The event will begin with a ribbon-cutting ceremony featuring civic, political and musical leaders from across the Pittsburgh region. The Roxian's reopening will offer local musicians and touring acts a venue within the 800 to 1,500 seat range, which can be hard to find in the Pittsburgh area. In 2012, the North Side Industrial Development Company utilized \$11,000 from its EPA Brownfields assessment grant to conduct a phase I environmental site assessment and asbestos inspection to assist the site's owner, McKees Rocks Community Development Corporation (MRCDC), launch the redevelopment of the theater. The \$9 million renovation was funded by a variety of local partners, including the MRCDC, The Heinz Endowments and the Hillman Foundation and the theater recently sold to a local entrepreneur and several partners. Vacant since 2003, the Roxian Theater reopening is anticipated to usher in a new era of vibrancy to the downtown business district of this EJ community, in conjunction with a recent \$1.9 million PennDOT first phase streetscape grant.

Former Jefferson School Brownfield Site, Clifton Forge, VA

The Allegheny Highlands Economic Development Corporation (AHEDC) and the Town of Clifton Forge, are performing the first assessment of their EPA Brownfields grant. The Former Jefferson School site in Clifton Forge is an historic African American school that has been closed and vacant for a number of years but presents a tremendous opportunity for redevelopment as market rate housing. The Town has already been approached by a developer, demonstrating it has potential to be the first of many showcase sites for AHEDC's Brownfields Program.

PADEP Draft 2018 IR Released

On April 20, the Pennsylvania Department of Environmental Protection (PADEP) released its draft 2018 Integrated Water Quality Monitoring and Assessment Report (IR) for a 45-day public comment period. The IR includes an update to the state's 303(d) list of impaired waters, which require total maximum daily loads (TMDLs) or TMDL alternatives to meet water quality standards. New for 2018, PADEP is sharing its IR with the public using an interactive web-based format that provides information in an easily accessible format. Additionally, as a result of an intensive multiyear water quality monitoring effort to investigate smallmouth bass health issues on the Susquehanna River, PADEP has listed sections of the Juniata River and the Susquehanna River as impaired for aquatic life use due to high pH.

EPA Proposes Action to Remove Requirements for Sale of Specialty Gasoline Blend in Allegheny County, Pennsylvania

In March 2019, Pennsylvania, at the direction of the General Assembly, revised its rules to suspend its local summer gasoline formulation rule and requested that EPA remove summer gasoline volatility requirements from the federal State Implementation Plan (SIP). This program was first enacted by the Allegheny County Health Department (ACHD) in 1998 to address ozone air pollution in the Pittsburgh-Beaver Valley Area. Region 3 signed a proposed rule to remove the program from the SIP on April 12, which is expected to be published in the April 26 *Federal Register* and made available for a 30-day public comment period. No negative environmental impact is expected from removal of the program, as other measures have supplanted some the reductions from the program and the Commonwealth also adopted several offsetting emission reduction measures. Allegheny County announced it would suspend local enforcement of their program this summer. On April 9, ACHD requested that EPA suspend federal enforcement of the program for the interim period between submission of their SIP removal request and EPA's final action on that request. EPA denied request for an enforcement no action assurance on the basis that ACHD has not shown that compliant fuel will not be available this summer. Several media outlets in the area have speculated that Memorial Day gas prices could rise if the program is not suspended this Summer, as other cities in the Eastern US have already moved to stop selling this gasoline blend.

Region 3 RCRA Section and PADEP Provide Hazardous Waste Fireworks Regulatory Guidance to Pyrotecnico (New Castle, Pennsylvania)

Pyrotecnico is a national company that provides large, elaborate firework displays and pyrotechnical effects for events throughout the United States. The company's manufacturing facility, located in New Castle, Pennsylvania, generates a variety of unusable fireworks. The company also had satellite office in Orange, VA. During a January 24, 2017 RCRA hazardous waste Compliance Evaluation Inspection (CEI) of the New Castle, PA facility, and subsequent information gathering, EPA identified areas of concern with Pyrotecnico's on-site management and ultimate disposal of unusable fireworks at a separate facility located in EPA Region 8. The RCRA Section was able to complete its compliance determination on Pyrotecnico's management of unusable fireworks through a coordinated effort with the Pennsylvania Department of Environmental Protection (PADEP), Virginia Department of Environmental Quality (VADEQ), U.S. Bureau of Alcohol, Tobacco and Firearms (ATF), and EPA Region 8's RCRA Hazardous Waste Program. Following Region 3's investigation of the management of unusable fireworks, Pyrotecnico began shipping such fireworks offsite as hazardous waste to a RCRA permitting treatment, storage and disposal facility (TSDF). RCRA Subtitle C establishes a federal program to manage hazardous wastes from cradle to grave. The objective of the program is to ensure that hazardous waste is handled in a manner that protects human health and the environment.

Upcoming Major Decisions and Events

Regional Administrator Cosmo Servidio has the following events scheduled:

May 1 NEJAC Meeting, Bethesda, MD

May 2 Chesapeake Bay Commission Meeting, DC

Region 4

Hot Topics

Oak Ridge Reservation (Oak Ridge, TN)

On April 24, 2019 DOE submitted a request to postpone the submission of the Draft (D1) ROD for the EMDF from May 7th until August to allow the Administrator time to consider DOE's appeal of the Regional decision on the Focused Feasibility Study.

Paducah Gaseous Diffusion Plant (Paducah, KY)

The Senior Executive Committee has reached an agreement in principle to delay installation of flowable fill in the basement and leave the building standing during the Remedial Investigation. A Memorandum of Agreement is being drafted to resolve the NTCRA Removal Notification and EE/CA formal disputes. Additionally, we have agreed with DOE to use facilitation as we work through the technical issues.

Alabama Final Authorization for RCRA Subtitle C Rules

On April 19, 2019 a Final Federal Register Notice was published granting Alabama Final Authorization for RCRA Subtitle C Rule, effective upon publication.

Upcoming Major Decisions and Events

Rep. Bennie Thompson Meeting – On April 30, 2019 the Acting Regional Administrator will meet with Rep. Thompson to discuss the efforts at the Grenada Superfund Site in Mississippi.

Rep. Robert Woodall Meeting – On April 30, 2019 the Acting Regional Administrator will be meeting with Rep. Woodall to discuss the availability of technical assistance to small communities relating to maintaining and improving water and wastewater systems.

South Carolina Chamber of Commerce Environmental Technical Committee – On May 3, 2019 the Acting Regional Administrator will travel to Columbia, SC to participate in the SC Chamber of Commerce ETC.

North Carolina SSM SIP – Region 4 will be seeking concurrence from OAQPS to propose and finalize an action to address an alternative policy presented by North Carolina which proposes a deviation from EPA's current national interpretation of the Clean Air Act.

Paducah Formal Dispute Resolution for the C-400 Removal Notification SEC level dispute – May 6, 2019

Paducah Formal Dispute Resolution for the Engineering Evaluation/Cost Analysis SEC level dispute - May 20, 2019

Region 5 Hot Topics

EPA Responds to April 25 Ammonia Spill in Beach Park, Ill.

Anticipated EPA activities include air monitoring around the ammonia tanks as well as investigation of runoff water.

Approximately 4 tons of anhydrous ammonia spilled from two mobile tanks due an issue with the connecting hose. The tanks have fully drained and been released into the atmosphere. Initially, a 1-mile shelter in place order was implemented as local HAZMAT and emergency officials investigated. Between 30 to 40 people have been transported to local area hospitals and two area schools have closed as a result of the spill. EPA is coordinating with other responding agencies.

April 24 Diesel Pipeline Break in Cottonwood, Minn.

EPA is on-site conducting air monitoring and general oversight of the cleanup.

The Magellan pipeline experienced a loss of an estimated 8,400 gallons of diesel fuel in Cottonwood, Minnesota. The spill is contained within 10 miles of ditches and no impact has been seen on Lone Tree Lake or the Yellow River. Magellan has been conducting air monitoring and has mobilized three OSRO companies with vacuum trucks, fractionation tanks, booms and absorbents.

Emergency Removal Site Evaluation initiated in Glendale, Wis.

After a site referral from Wisconsin Department of Natural Resources (WDNR), action was initiated to evaluate potential heavy metal contamination (including lead and arsenic) at Parkway School and Glendale Little League fields.

X-Ray Florescence screening in the top six inches of soil did not indicate the need to limit access to the areas at this time. Preliminary laboratory results of the soil samples are similar to the results of the X-Ray Florescence screening. EPA, along with WDNR, are continuing assessment activities at public rights-of-way, the school, and fields this week and planning for residential soil sampling the week of May 13.

EPA Cleanup at West Vermont Superfund Site in Indianapolis, Ind.

EPA is initiating remedial investigation/feasibility study negotiations for the site under the Superfund Alternate (SA) approach.

The proposed NPL listing of this site was successfully challenged by the responsible parties. One of the responsible parties, Aimco, expressed an interest in pursuing the cleanup under the SA approach, to which Region 5 and Indiana Department of Environmental Management agreed. Region 5 will be issuing special notice letters to the responsible parties in June.

EPA to Propose Approval of Terre Haute, Ind. Sulfur Dioxide Nonattainment Redesignation

In the next few weeks, EPA will be publishing in the Federal Register the proposal to approve Indiana's request to redesignate the Terre Haute nonattainment area to attainment for the 2010 SO₂ standards based on clean air data provided by the state.

This action is significant, because there have been improvements to air quality in the area due to the significant reductions in SO₂ emissions. Nearby power plants have retired older coal-fired electric generating units, switched to cleaner burning natural gas, and adopted new operational limits. With these permanent and enforceable actions, SO₂ emissions within Terre Haute declined by 99.7% between the nonattainment year (2011) and the attainment year (2017) resulting in attainment of the 2010 SO₂ standards. People in the area are now breathing cleaner air.

U.S. District Judge Denies EPA's Motions to Dismiss Consolidated Class Actions Regarding the Flint Water Crisis.

The April 18, 2019 decision denying the motion to dismiss allows the Plaintiffs' lawsuits to proceed to the next phase of litigation.

The U.S. argued in its Motion to Dismiss that the Plaintiffs' claims were barred under several jurisdictional exceptions to potential government liability under the Federal Tort Claims Act. The U.S. must now determine

the appropriate next steps in response to the Judge's decision. One option would be to request certification of an interlocutory appeal to the 6th Circuit. Denial of the Motion to Dismiss is not a finding that the U.S. engaged in negligent misconduct. Plaintiffs in the Burgess and Thomas consolidated cases, as well as three additional substantively identical lawsuits filed by different groups of plaintiffs against the U.S., cumulatively represent thousands of plaintiffs.

Lucas County, Ohio Filed a Citizen Suit Against EPA on April 18, 2019

The complaint claims EPA's approval of Ohio's 2018 303(d) list was arbitrary and capricious.

The County's lawsuit follows a similar lawsuit filed by the Environmental Law and Policy Center (ELPC) on February 7, 2019. Both lawsuits seek to compel EPA to develop a Total Maximum Daily Load for the Western Lake Erie Basin and rely on legal arguments that were previously litigated by ELPC in a lawsuit that was dismissed in 2018. Because the same court ruled in EPA's favor in the prior case, the new lawsuits should be barred by the court from being re-litigated. Region 5 is coordinating with OGC and OW on this matter and continuing to work with Ohio EPA to establish nutrient loading reduction targets throughout the Maumee Basin needed to meet Annex 4 targets under the Great Lakes Water Quality Agreement.

On April 24, EPA Announced Public Input Opportunity for GLRI Action Plan III

EPA and its federal partners are seeking additional input from the public on developing the Great Lakes Restoration Initiative (GLRI) Action Plan III.

The plan will outline priorities and goals for the GLRI for the years 2020-2024. Input will be received until May 24, 2019. Last summer, EPA received input on priorities for Action Plan III through six public engagement sessions convened across the Great Lakes basin. Feedback was received from the general public and representatives of agriculture, industry, academia, local government, non-profits, and metropolitan planning organizations. EPA also consulted with the Great Lakes states and tribes throughout the draft plan's development.

Upcoming Major Decisions and Events

RA Stepp Touring Waste Management Landfill on April 30

RA Stepp will be touring Waste Management's Prairie View landfill in Wilmington, Ill., where she will learn about site operations and challenges.

RA Stepp to Provide Opening Remarks at National Response Team – Regional Response Team Co-Chairs Meeting on May 1

RA Stepp will welcome attendees to Chicago and highlight some of the region's recent response successes.

Region 6 Hot Topics

Intercontinental Terminals Company (ITC) LLC, Deer Park, Texas

ITC is preparing to disassemble of tanks with remaining sludge/product which should take 5 days per tank. The plan is being finalized and will be presented to Unified Command.

Reese Air Force Base, Lubbock, Texas

The Air Force Civil Engineering Center reported that five additional private drinking water wells are over the EPA Health Advisory and/or Texas Commission on Environmental Quality Protective Concentration Levels. All five wells were being sampled as part the quarterly monitoring program. There are now 212 private wells and three public wells exceeding EPA or TCEQ limits. The Air Force completed connection of one business to the City of Lubbock water supply last week. Two Hundred Nineteen (219) residences remain on bottled water. One hundred seventy-one (171) individual treatment systems consisting of granular activated carbon and resin have been installed, and additional system installations will resume this week.

Mosaic Fertilizer LLC, St. James, Louisiana

By April 26, Region 6 intends to issue a Clean Water Act 308 information request that identifies monitoring and reporting requirements should Mosaic discharge from the site. LDEQ has established discharge parameters in their state-issued NPDES permit and is continuing to review emergency permitting authorities. Region 6 is coordinating with OECA, DOJ and LDEQ.

Blind Oso Bay, Corpus Christi, Texas

EPA has committed to act on TCEQ's site specific Dissolved Oxygen standard by May 1. Region 6 and TCEQ are continuing to evaluate information and data necessary to support the state's request. The Office of Water has committed that if EPA disapproves the state's standard that EPA will promulgate a federal standard within 90 days.

Texas Title V Petition Resolution Letter, Texas

By May 10, EPA will respond to TCEQ's June 2018 letter and subsequent discussions on how to resolve long-term EPA objections to Texas Title V air permits. In general, Texas has adequately addressed Region 6 concerns by incorporating supplemental tables into their permits and the letter will memorialize the specific details. Region 6 is coordinating with OAR and OGC.

Ethylene Oxide, Dallas, Texas

Region 6 met with officials from Texas and Louisiana to develop a shared strategy to address ethylene oxide emissions identified in the 2014 NATA report. Texas is developing an alternative risk assessment for ethylene oxide and expects to complete peer review within 6 months. Louisiana is developing testing protocols to low detection limits for ethylene oxide. Both states agreed to continuing working with EPA and a follow-up discussion will be scheduled in 45 days.

Arkansas Title VI Complaint

Region 6 and ADEQ held a conference call to discuss a draft agreement to address compliant concerns around the state's permitting of the GP Crossett facility and the next meeting is scheduled for Monday, April 28. EPA and ADEQ will meet on May 7 in Little Rock to seek resolution to any outstanding issues and finalize the agreement.

Texas Title VI Complaint

EPA received a Title VI complaint regarding TCEQ's water program on April 8. EPA's judicial review letter is due on May 2 to meet the 20-day regulatory requirement. Region 6 and OGC External Civil Right Office are closing coordinating.

Quapaw Nation Water Quality Trading Proposal, Arkansas

Quapaw Nation has submitted Water Quality Trading program to Region 6. Chairman Berry is leading an effort to reduce nutrient loading and help sustain the Sparta aquifer as a water resource in Arkansas. While the Quapaw Nation tribe resides in Oklahoma, Quapaw historic ancestry began in Arkansas. EPA is reviewing the water quality trading framework in coordination with the Arkansas Department of Environmental Quality, the approving authority.

Upcoming Major Decisions and Events**Pueblo of Santa Ana TAS Application, New Mexico**

By April 30, EPA anticipates final approval of the Santa Ana Pueblo's TAS application under CAA authority for Sections 105, 107(d)(3), 126, and 505(a)(2). The action will authorize the Pueblo to apply for funding under CAA 105 provisions and receive notifications of CAA permit applications.

Texas Public Notice Provisions for Air Permits, Texas

By May 9, EPA anticipates proposed approval of revisions to Texas Public Notice provisions submitted in 2018. The revisions consolidate the public notice requirements for certain air quality permit applications and are consistent with federal requirements.

Houston/Galveston/Brazoria Re-designation/Maintenance Plan, Texas

By May 9, EPA anticipates proposed approval of the Houston/Galveston/Brazoria Re-designation and Maintenance plan SIP revision for the revoked 1-hour and 1997 8-hour ozone standards. The proposed action will also address Texas' 185 fee plan submission.

St. Bernard Parish, Louisiana

By May 15, EPA anticipates final action on the supplemental notice of proposed rulemaking for the SO₂ attainment demonstration for St. Bernard Parish. RAIN, a carbon calciner, and LDEQ have agreed on new emissions and operating limits. LDEQ supplemented its previous SO₂ attainment demonstration SIP with a consent order and provided additional modeling to EPA. The public comment period on the proposed final action closed on March 11, and the comments, response to comments and EPA action package are currently being reviewed by OGC and OAQPS.

DFW 2008 Ozone Attainment Demonstration, Texas

By May 29, EPA intends to finalize an action to bump up the DFW area from moderate to serious for the 2008 Ozone NAAQS. TCEQ provided both oral and written comments requesting that EPA delay the required serious SIP revision submission date from 12 months to 18 months.

Houston/Galveston/Brazoria 2008 Ozone Attainment Demonstration, Texas

By May 29, EPA intends to reclassify the HGB area from moderate to serious under the 2008 ozone NAAQS. The public comment period closed on February 22. TCEQ provided both oral and written comments. TCEQ not only asked for more time to submit the serious area SIP revision but also asked that EPA delay finalization of the bump up to allow consideration of potential exceptional events during 2018, which if approved, the area would be meeting the 2008 ozone NAAQS.

Albuquerque 2nd Set of Air Permit SIP Revisions, New Mexico

By May 30, EPA intends to propose approval on second set of pending air permit related SIP revisions from Albuquerque/Bernalillo County on changes to the their NSR rules to exempt gasoline dispensing facilities and emergency RICE engines from permitting. Waiting on source emissions data from CABQ to update 110(l) anti-backsliding analysis since it removes two source categories from permitting universe (gasoline dispensing and emergency RICE).

May 5-7 **Interstate Oil & Gas Compact Commission, Oklahoma City, Oklahoma**

May 6 **ADEQ/EPA Leadership Retreat, Little Rock, Arkansas**

May 20 **NMED/EPA Leadership Retreat, Santa Fe, New Mexico**

Region 7 Hot Topics

Region 7 Pollution Prevention Awards

The EPA Region 7 Administrator Jim Gulliford presented the 2019 P2 awards at the Midwest Environmental Compliance Conference in Kansas City, Missouri on April 23, 2019.

Residential Lead Construction Starts at Washington County & Former United Zinc Sites

This week, EPA Region 7 contractors were given notice to proceed with the cleanup of lead contaminated soils at over 2000 residential properties across several lead contaminated Superfund NPL sites. At the Former United Zinc Site, the EPA contractor Vets Worldwide Sales and Services has been given a notice to proceed for residential remediation of lead contaminated soils in Iola, Kansas. At the Washington County Lead District Sites, EPA contractor A&M Engineering and Environmental Services Inc. has been given a notice to proceed for residential remediation of lead contaminated soils.

State Concurrence on Cleburn Street NPL Site Partial Deletion

EPA received written concurrence from the Nebraska Department of Environmental Quality agreeing with the partial deletion of two Operable Units of the Cleburn Street NPL Superfund Site in Grand Island, Nebraska.

Council of Infrastructure Financing Authorities Meeting in Washington DC

Region 7 Watershed Planning and Implementation Branch Chief Glenn Curtis is attending the CIFA meeting in Washington, D.C. April 25-26, 2019. CIFA is a national not-for-profit organization that represents state agencies, including financing authorities and departments of environmental protection and public health, that are responsible for managing the Clean Water and Drinking Water State Revolving Funds.

Upcoming Major Decisions and Events

On April 30, Regional Administrator Jim Gulliford will be participating in the Midwest Energy Policy Series on Infrastructure in Kansas City, Missouri. He will speak on the clean energy rule which establishes emission guidelines for states to develop plans to address greenhouse gas emissions from existing coal-fired power plants.

Region 8

Hot Topics

Bonita Peak Mining District

R8 sent a letter to BLM regarding its plans for oversight of PRP-work pursuant to a Unilateral Administrative Order issued by the EPA in March 2018. The letter seeks to address concerns raised by BLM, while also ensuring that important remedial investigation work at is accomplished during the 2019 field season. Planned oversight work referenced in the letter includes: a modified statement of work, work plan, and field sampling plan for “Phase I” of the remedial investigation. The letter also includes information regarding the EPA’s plans to drill a directional well into the American Tunnel between bulkheads 2 and 3. This well will provide the EPA with important information regarding the water pressure between these bulkheads (which have not been monitored since they were installed more than 15 years ago) and water quality data that will be used by the agency when evaluating remedial alternatives for the Upper Cement Creek portion of the Site. Finally, the letter reiterates the EPA’s desire to negotiate a revised MOU with BLM for the Site. The current MOU was signed in 2013—over three years before the Site was listed on the National Priorities List. A revised MOU will provide clarity regarding the respective roles of both agencies at this complex, mixed ownership Site.

Denver Water request for optimal corrosion control treatment variance

Denver Water’s variance proposal is that instead of adding orthophosphate they would use pH adjustment to get some lead reductions, replace all lead service lines over the next 15 years and during that time provide a filter to all customers with a lead service line until six months after LSL replacement. Based on the main components of Denver Water’s Lead Reduction Program, R8 supports Denver Water continuing to pursue the variance pathway because of the long-term benefits of removing lead service lines. We are working with Denver on information needed to fully evaluate a demonstration of equivalency in lead reduction. Denver Water, EPA and CDPHE have convened a communications group to prepare a stakeholder outreach plan. Congresswoman DeGette continues to express strong interest in this issue and we will be meeting with her next week to discuss the current status.

Upcoming Major Decisions and Events

R8/HQ Devolution Exercise

On May 1, R8 and HQ will be engaged in Eagle Horizon 2019 in preparation for a full-scale National Level Exercise in 2020. This exercise will demonstrate the ability of senior leaders to select and activate continuity plans that sustain performance of essential functions when staff and facilities are not available in the National Capital Region.

Region 9
Hot Topics

None to report this week.

Upcoming Major Decisions and Events

SDWA UIC

The Region will approve the Arroyo Grande Oil Field and the Livermore Oil Field UIC aquifer exemptions as requested by the California Division of Oil, Gas and Geothermal Resources and the CA State Water Resources Control Board.

Food Waste

RA Mike Stoker will present the national Food Recovery Award to Los Angeles-based Food Forward on April 29. Their innovative program in low-income neighborhoods has resulted in donation of over 300,000 lbs. of surplus fresh produce to the needy in 2017. RA Stoker will tour the East Bay Municipal Utility District (Oakland, CA) facility and its innovative food-waste-to-energy operation, which converts up to 40 tons per day of restaurant food waste, fats, oils and grease into electrical power to run this major POTW and export surplus power to the grid.

CWA Monitoring

We will approve American Samoa's 2018 integrated report for streams and coastal waters, which lists 8 streams and 32 shoreline locations as impaired for the first time, and removes 21 streams and 20 locations that now meet water quality standards.

RCRA training for refineries

With EPA Region 3 and the Los Angeles Regional Water Quality Control Board, we'll host training April 30 – May 1 in our So. California Field Office on improving the pace and outcome of RCRA corrective action clean-ups at refineries. Project managers and consultants from all major So. California refineries will attend.

Region 10

Hot Topics

Motions to Intervene Granted in Case Challenging EPA Authorization of Idaho NPDES Program

On April 23rd, the 9th Circuit granted three motions to intervene in Idaho Conservation League v. EPA, a case that challenges EPA's authorization of the State of Idaho's NPDES program. The intervenors are: (1) State of Idaho; (2) Association of Idaho Cities and (3) Idaho Association of Commerce and Industry. It is expected that the Idaho Conservation League will raise the following issues in the case: (1) improper criminal negligence standard; (2) inadequate statute of limitations; (3) reliance on outdated regulations in approving the program and (4) improper authorization of the Idaho Dept. of Agriculture to run the CAFO program. EPA submitted the administrative record for this case in February. The Court has established a briefing schedule that runs through the end of August.

Upcoming Major Decisions and Events

Region 10 Proposes to Approve Changes to the Alaska Statewide Air Plan

In the coming weeks, Region 10 plans to route a Federal Register notice for the Regional Administrator's signature that proposes to approve changes to the Alaska Statewide Air Plan. These changes include pre-construction permitting regulations that apply in the Fairbanks fine particulate matter nonattainment area. In the Federal Register notice, we propose to find that Alaska has met the nonattainment new source review element for the Fairbanks PM_{2.5} Serious Area Plan. The Fairbanks area was designated as serious nonattainment last year and is required to submit a separate attainment plan (SIP) to EPA. This Statewide Air Plan action is also an important step in that process. EPA Headquarters offices (OGC and OAQPS) have reviewed and signed off on the Federal Register notice. The Alaska Department of Environmental Conservation is aware that we are planning this action.

Revised State of Washington Recreational Water Quality Criteria

Region 10 expects to take action in the first week of May to approve the state of Washington's revised water quality criteria (for microbials such as bacteria and viruses) to support recreational uses, such as swimming and wading, in fresh as well as marine waters of the state. Washington followed closely the EPA's national criteria recommendations. In addition to establishing protective criteria for Clean Water Act purposes, this action will allow Washington to continue to receive BEACH Act funding.

Region 10 News Release

During the week of April 30, Region 10 will issue a news release announcing \$3.8 million in Diesel Emissions Reduction Act (DERA) grants awarded for diesel reduction projects that reduce emissions from the most polluting diesel sources in impacted communities in Alaska, Idaho, Oregon and Washington during National Air Quality Awareness Week.

Upcoming Major Decisions and Events

None to report this week.

Office of Air and Radiation

Hot Topics

Tracking SIP Actions:

Total Number of SIPs submitted to Regions in FY 2019: 157

Total Number of SIP Submittals with Final Action taken by the Regions in FY 2019: 136

Total Number of Pending SIPs: 766

Packages for Signature:

Biennial Environmental Compliance Report (BECR) for the Waste Isolation Pilot Plant (WIPP) – Requesting Administrator Signature by 4/30/19

Revision to Appendix P to 40 CFR Part 51, Concerning Minimum Emission Reporting Requirements in SIPs Engine Test Cells RTR (Proposed Rule)

Surface Coating of Metal Cans and Surface Coating of Metal Coil RTR (Proposed Rule)

Amendments to Federal Implementation Plan for Managing Air Emissions from True Minor Sources in Indian Country in the Oil and Natural Gas Production and Natural Gas Processing Segments of the Oil & Natural Gas Sector (Final Rule)

Packages at (or soon to be at) OMB for Review:

PM2.5 Precursor Demonstration Guidance

Reclassification of Major Sources as Area Sources Under Section 112 of the Clean Air Act (Proposed Rule)

Vehicle Test Procedure Adjustments for Tier 3 Test Fuel (Proposed Rule)

Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Project Emissions Accounting (Proposed Rule)

2020 Ozone Depleting Substances Phaseout Rule (Proposed Rule)

Amendments Related to Marine Diesel Engine Emission Standards (Proposed Rule)

Repeal of the Clean Power Plan; Emission Guidelines for Greenhouse Gas Emissions from Existing Electric Utility Generating Units; Revisions to Emission Guidelines Implementing Regulations (Final Rule)

Upcoming Major Decisions and Events

April 29: Anne Idsal will be in Kansas City, MO to deliver keynote address at the National Association of Clean Air Agencies (NACAA) Spring Board Meeting.

May 2: Anne will be speaking at the OAR Session of the NEJAC meeting

May 2-7: Anne will be travelling to France for the G-7

May 7-9: Spring Air Division Directors meeting here in DC

Announcements

Air Quality Awareness Week (April 29-May 3)

EPA is joining federal state and local partners to highlight through social media and other announcements Air Quality Awareness Week. The theme for this year is Check the AQI & Get Outside. The goal is to promote events, information, and tools that increase air quality awareness and encourage people to check the Air Quality Index (AQI) and use airnow.gov to be mindful of air quality conditions while staying active. Federal partners include: the Forest Service, CDC, and the National Weather Service.

DERA grants (week of April 29)

In coordination with OPA and the regions, OAR will be announcing more than \$9.3 million awarded to state and local agencies to replace 473 older diesel school buses. The funds are going to 145 school bus fleets in 43 states

or territories, each of which will receive rebates through EPA's Diesel Emissions Reduction Act (DERA) funding.

Asthma Awareness Month (May 1)

To mark May as asthma awareness month, OAR will be announcing awards for three asthma management programs (Chicago, Omaha, and Rhode island) for leadership in helping patients to control environmental asthma triggers.

Vehicle and Compliance Reports (week of April 29)

OAR's Office of Transportation and Air Quality will be posting its fifth in a series of vehicle and engine compliance reports. These reports offer a convenient reference to the data that EPA collects in the process of implementing emissions regulations for vehicles, engines and transportation fuels sold in the United States.

Office of Chemical Safety and Pollution Prevention

Hot Topics

Asbestos Petition Response

By April 30, OCSPP will respond to a TSCA Section 21 petition, received January 31 from the Attorneys General of 14 states and DC asking EPA to initiate rulemaking under TSCA § 8(a) for reporting the manufacture, import, and processing of asbestos. OCSPP is considering whether initiating a rulemaking would provide any additional information for the risk evaluation for asbestos or any potential subsequent risk management beyond what EPA already has. As part of the ongoing risk evaluation, EPA is using information reported under the Chemical Data Reporting rule and other sources to identify and characterize asbestos conditions of use.

Public Comment Period on Glyphosate Interim Decision

During the week of April 29, OCSPP will release for public comment the proposed interim registration decision on glyphosate, the most widely used herbicide in agriculture. OCSPP will reaffirm that, after carefully considering public comments on its previously-released draft human health risk assessment, EPA's findings continue to show no risk to human health from current uses of glyphosate, no indication that children are more sensitive to glyphosate, no evidence that glyphosate causes cancer, and no indication that glyphosate is an endocrine disruptor. The proposal includes measures to address pesticide spray drift and other measures to better avoid the problem of weed-resistance. After a 60-day public comment period, OCSPP anticipates issuing a final regulatory decision in late 2019.

TRI Training for HQ and Regions

April 23-24, OCSPP held the National EPA TRI Regional/HQ 2019 Training, gathering TRI Regional and HQ Partners to share program implementation successes and challenges and to learn from each other to improve TRI Program effectiveness.

Upcoming Major Decisions and Events

Revised Method and Public Meeting on Endangered Species and Pesticides

During the week of April 29, OCSPP will issue a Federal Register Notice (FRN) announcing the availability of a draft revised method for conducting national level threatened and endangered (listed) species biological evaluations for pesticides. OCSPP will also give notice that it will hold a June 6 public meeting to present the draft revised method and receive additional stakeholder feedback. This is part of an overall effort to improve the Endangered Species Act (ESA) consultation process for pesticide registration and registration review activities, and is a significant first step in implementing the new FIFRA-ESA Interagency Working Group established by the 2018 Farm Bill.

First TSCA SACC Meeting to be Re-Announced

As early as May 3, OCSPP will publish a FRN announcing the rescheduled, first meeting of the Toxic Substances Control Act Science Advisory Committee on Chemicals (TSCA SACC). The TSCA SACC provides EPA independent advice and recommendations on the scientific basis for risk assessments, methodologies, and pollution prevention measures and approaches for chemicals regulated under TSCA. The meeting will be held June 18-21. At the meeting, the Committee will review EPA's draft risk evaluation for Colour Index (C. I.) Pigment Violet 29 (PV29) and associated documents.

Household & Commercial Products Association (HCPA) Meeting

Assistant Administrator Dunn and several OPP staff will participate in HCPA's Mid-Year Meeting May 3 in Washington, DC.

Office of the Chief Financial Officer

Hot Topics

Final senior leader strategic reviews deliverables are due to OCFO on April 26.

The Senate Appropriations Subcommittee FY 2020 Budget Hearing transcript has been routed to the program offices for review and inserts. Responses are due to OCFO by May 8.

OCFO received the Senate Appropriations Subcommittee FY 2020 Budget Hearing Questions for the Record (QFRs) on April 23 and expects to receive the QFRs from the House Appropriations Subcommittee and House Energy and Commerce Subcommittee in the next few weeks. OCFO will work with OCIR, OGC and agency programs to prepare responses.

Upcoming Major Decisions and Events

The public comment period on the draft FY 2020-2021 National Program Guidances began April 1 and ends May 3. Agency calls with the states and tribes have been completed.

The next E-Enterprise Bulletin is slated for release on April 30. OCFO will work with OPA to review before its April 30 distribution.

On May 2, the CFO will speak to the Local Government Advisory Committee about EPA's long term plan and budget with a focus of items of interest to local governments and small communities.

The next face-to-face E-Enterprise Leadership Council meeting is being planned for May 9-10 in Phoenix, Arizona.

The CFO will give opening remarks at the Children's Health Protection Advisory Committee meeting on May 9 and include the FY 2020 EPA Budget healthy schools grant program proposal and other EPA children's health initiatives.

Other Items of Interest

On May 7, the CFO is holding an OCFO Senior Leader retreat to discuss priorities, communications, and employee engagement.

Office of the Congressional and Intergovernmental Relations

Hot Topics

May 1- Senate EPW committee will hold a legislative hearing on the discussion draft, Nuclear Waste Policy Amendments Act of 2019. It is very similar to the bill passed by the House last year (HR 3053). A section by section analysis is available.

Upcoming Major Decisions and Events

April 29-30 – Asian Carp briefings for staffs on House/Senate G.L. Task Force, and open Congressional staff briefing w/EPA, Army Corps, FWS, USGS, and Coast Guard

April 30 - Mayor Denny Doyle, Beaverton, OR, will meet with OBLR, OCIR/OIR and Region 10 staff to discuss his city's Brownfield Community Wide Assessment Grant application. The City is seeking \$300,000 to identify, inventory and assess hazardous substance and petroleum brownfields in its downtown Creekside District.

April 30 - Mayor Hazel Rogers and other city leaders from Lauderdale Lakes, FL will meet with OW and OIR to discuss water quality issues. Concerns include assistance with the city's drainage system of water that feeds into the C-3 canal.

April 30 - Board members of the Southern Sandoval County (NM) Arroyo Flood Control Authority will meet with OIR and Office of Water state revolving fund staff to provide an update on the authority's use of the SRF for various water quality projects

Apr TBD – Announcement of WIIN drinking-water grant allocations for school lead testing & disadvantaged communities w/OW

May 1- Dr. Michael Taylor, President, Board of Directors, and other WVWD leadership will meet with EPA to discuss the Agency's Vulnerability Self-Assessment Tool – an online program designed to assist water agencies with enhancing their security and resiliency

May 2 - OW and Region 9 will join OIR in a meeting with Board President Scott Houston and other District leadership to discuss EPA's Water Reuse Action Plan. The leaders are interested in how West Basin can be a part of this Plan.

May 2-3 - The **LGAC Spring meeting** will be held in EPA's East Building room 1153. An orientation session is planned for May 2nd for new and returning Members. The public meeting will feature senior EPA officials including a panel of Assistant Administrators. LGAC Workgroup focal topics and agendas are in final revisions. An Intergovernmental Forum with guest speakers representing national intergovernmental organizations is planned on May 2nd and will focus on risk communication and local governments.

May 3 – Rep. Walden (OR) constituents meeting on pesticides and hemp w/OCSPP

May 3 - Placer County, CA, Supervisors Robert Weygandt and Kirk Uhler will provide OIR and Office of Wetlands, Oceans and Watersheds staff with an update on the Placer County Conservation Plan

May 8 - Senator Lisa Murkowski (AK), EPA's Office of Water, Region X, and OIR will meet with Mayor Gary Paxton, City Administrator Keith Brady, and Legislative Affairs Director Larry Markley to discuss the city's water quality challenges and explore federal and state programs and partnerships designed to assist communities with water infrastructure financing.

May 8 – Call with Rep. Diana DeGette's (D-CO) staff to discuss the Environmental Justice program.

Office of Enforcement and Compliance Assurance

Hot Topics

Jury Finds Pennsylvania Biofuel Company Owners Guilty of Tax and False Statements Conspiracy

On April 23, 2019, following a 14-day jury trial in the Middle District of Pennsylvania, Ben Wootton and Race Miner were found guilty of one count of conspiracy to make false statements to the EPA, six counts of making false statements to the EPA, one count of conspiracy to defraud the IRS, and one count of aiding and assisting in the filing of a false claim with the IRS. The jury also found the corporation, Keystone Biofuels Inc., guilty of conspiring to make false statements to the EPA and six counts of making false statements to the EPA. Wootton and Miner co-owned and operated Keystone Biofuels and purported to be a producer and seller of biodiesel, a type of renewable fuel. From August 2009 through September 2013, Wootton and Miner participated in a conspiracy to fraudulently generate renewable fuel credits, identified by renewable identification numbers (RINs) on Keystone fuel and, through January 2012, to fraudulently claim tax refunds based on the Biodiesel Mixture Tax Credit, a federal excise tax credit for persons or businesses who mix biodiesel with petroleum and use or sell the mixture as a fuel. It is estimated that over \$10 million was generated from the fraudulent RIN sales, and the total tax loss to the government resulting from the defendants' conduct was over \$4 million.

Feedback from ECOS on Draft FY 2020-2021 OECA National Program Guidance

On April 25, 2019, OECA Assistant Administrator Susan Bodine will convene a call with states to discuss their feedback on the draft FY 2020-2021 OECA National Program Guidance.

Upcoming Major Decisions and Events

On May 1, 2019, OECA Assistant Administrator Susan Bodine will speak at the National Environmental Justice Advisory Council Public Meeting in Bethesda, Maryland.

From April 30 to May 2, 2019, EPA and state NPDES Significant Non-Compliance (SNC) National Compliance Initiative workgroup members from across the country will assemble to discuss and strategize approaches for reducing the national SNC rate.

Office of General Counsel
Hot Topics

New York v. EPA, No. 17-1273 (D.C. Cir. April 23, 2019). New Decision: The D.C. Circuit upheld EPA's denial of a petition filed under section 176A of the Clean Air Act seeking expansion of the Ozone Transport Region (OTR) to include eight additional states and the remainder of the state of Virginia not already in the OTR. The court held that the statutory language provides the EPA with broad discretion, and that the standard of review is therefore "extremely deferential." The court further affirmed that the EPA's rationale is a reasonable basis for denying the petition.

LULAC v. Wheeler, No. 17-71636 (9th Cir. April 19, 2019). New Decision: On *en banc* rehearing of a summer 2018 panel order to ban chlorpyrifos, the Ninth Circuit did not reach the question of whether the panel had jurisdiction to review EPA's March 2017 denial of an administrative petition to ban, but converted the proceedings to *mandamus* and ordered EPA to issue a final decision on the pending administrative objections to the March 2017 denial within 90 days.

VPIRG v. EPA, No. 19-1044 (2d Cir. filed April 18, 2019); *LCLAA et al. v. EPA*, No. 19-1042 (2d Cir. filed April 18, 2019). New Litigation: In two separate cases, petitioners challenge EPA's final rule regulating methylene chloride in consumer paint and coating removal under TSCA section 19(a)(1)(A).

Upcoming Major Decisions and Events

Oral Argument May 1, *Sierra Club v. EPA*, No. 18-1038 (D.C. Cir.). Challenge to EPA's Dec. 2017 denial of a petition to object to Utah's Title V permit for the Hunter power plant (CAA Title V/"no lookback" to NSR determinations.)

Oral Argument May 3, *NRDC v. EPA*, No. 18-1172 (D.C. Cir.). Challenge to EPA's April 2018 notice ("SNAP Guidance") explaining the effect of the court's partial vacatur of EPA's 2015 final rule prohibiting certain uses of hydrofluorocarbons (Significant New Alternatives Program, CAA Title VI).

Office of International and Tribal Affairs

Hot Topics

G20 Environment Senior Officials Meeting

EPA and the State Department attended the second meeting of G20 Environment Senior Officials last week, which focused on further developing the outcomes and reviewing the agenda for the G20 Environment and Energy Ministers Meeting in June. The themes of this year's G20 meeting are innovation, marine litter, resource efficiency, and adaptation and resilience. Japan, as the G20 President, presented the first drafts of the outcome documents, which include a Ministers communique, marine plastic litter implementation framework, adaptation action agenda, and innovation action plan – G20 members offered their views and suggested revisions. The meeting also included a joint session with the Energy Transitions Working Group, where the joint Energy-Environment Ministers Communique and innovation action plan were discussed.

4Ocean Meeting

OITA staff met with the leaders of the 4Ocean, a for-profit company that focuses on cleanup of marine litter by removing waste from waterways and oceans using boats, booms and other physical removal. Their public awareness efforts are related to cleanup events, a social media presence and the sale of 4Ocean merchandise (bracelets and water bottles). They employ over 200 people worldwide which includes staff at headquarters and local fisherman removing waste. The company's principal pledge is to remove one pound of waste in waterways and the ocean for every bracelet and water bottle they sell. They operate domestically along the coast from Miami to West Palm Beach, and their international operations are focused in Haiti and Indonesia with expansion efforts underway to operate in the Philippines and Honduras. 4Ocean is also exploring opportunities to expand their work to Vietnam, Dominican Republic, and Colombia.

UN Environment Meeting on Air Quality

EPA staff met with UN Environment for a briefing on their latest air quality efforts, including work on electric mobility, air quality management, and clean fuels and vehicles, following up on an air quality resolution passed at the UN Environment Assembly in 2013. UN Environment is developing proposals for funding from the Global Environment Facility and the European Union to work with the International Energy Agency, development banks, governments, city officials, and the auto industry to introduce electric vehicles (buses, 2-wheelers and cars) and charging infrastructure in developing countries. The State Department is also providing funding to support development of air quality management plans and monitoring in Africa and Latin America to share lessons learned in Asia.

Upcoming Major Decisions and Events

Cambridge Union Speech – The Administrator will be giving a keynote address to the Cambridge Union in Cambridge, England on May 1.

European Commission Meeting – The Administrator will be meeting with senior officials of the European Commission in Brussels, Belgium on May 2/3.

G7 Environmental Ministerial Meeting – The Administrator will be attending the 2019 G7 Environment Ministerial Meeting in Metz, France on May 4-6.

Office of the Land and Emergency Management Hot Topics

Coal Combustion Residuals (CCR)

We anticipate the CCR Phase 2 proposed rule package to go from OP to OMB soon for an expedited EO 12866 review.

Clean Air Act 112(r) Risk Management Program (RMP)

A briefing for the Administrator is scheduled for May 17.

Ongoing major Superfund NPL sites

We are working with Region 4 on Oak Ridge, Region 9 on Edwards Air Force Base, and Region 10 on Portland Harbor.

CERCLA 108(b) Financial Assurance (next three sectors).

PFAS

PFOA and PFOS contaminated groundwater guidance. OMB concluded its review and we are posting it to the web shortly.

Working on inclusion as “hazardous substances” under CERCLA.

e-Manifest.

Upcoming Major Decisions and Events

ASTSWMO, LGAC, NEJAC. OLEM Senior Leadership will participate in these meetings next week.

ELMS Deployment- nb. On April 30, Henry Darwin will participate in an OLEM All-Hands meeting.

Spring NPL update. We anticipate an update in May.

Environmental Workforce Development and Job Training (EWDJT). The FY20 EWDJT grant guidelines have been published in grants.gov. The deadline for the submission of proposals is June 10.

Exemption for Air Releases from Animal Waste at Farms from EPCRA Final Rule. The rule package has been submitted to OMB for a 30-day interagency review.

Planning for Natural Disaster Debris Guidance. On April 24, the final guidance was published in the FR.

FY19 Brownfields Multipurpose, Assessment, Cleanup Grant Announcement. We are targeting an announcement of the selection of the grants on June 5, totaling approximately \$55 million.

Office of Mission Support

Hot Topics

Suspension Notice Issued

On April 10, 2019, the EPA Suspension and Debarment Official (SDO) issued a suspension notice to Mr. Onis “Trey” Glenn III and other related Respondents, including Southeast Engineering & Consulting, LLC, an Alabama company created by Mr. Glenn and others. Mr. Glenn is a former Director of the Alabama Department of Environmental Management (ADEM) and the former Regional Administrator of EPA Region 4. On February 8, 2019, Mr. Glenn was indicted on a 15-count criminal indictment by a Grand Jury in the Alabama Circuit Court (10th Judicial Circuit) on allegations of violating and aiding and abetting in the violation of the Alabama Ethics Act. A suspension is an immediate exclusion from receiving federal contracts and covered transactions to protect the public interest pending completion of legal proceedings. All respondents are accorded the right to contest the suspension action.

FY19 Mandatory Training Notification

A mandatory training notification was issued via email to all FedTalent users the week of April 15, 2019. FedTalent is the agency’s new learning management system. EPA employees and contractors will access FedTalent to complete the FY19 mandatory training courses as they become available.

Draft Real Property Efficiency Plan

The FY2020 – 2024 RPEP draft was submitted to GSA and OMB on April 17th. GSA/OMB comments are anticipated July 2019. EPA final submission is due approximately 4 weeks from receipt of GSA/OMB comments. EPA continues to evaluate its real estate portfolio – both office/warehouse spaces and laboratory facilities to make the most cost-effective decisions. Using a national approach, engineering analyses, and an agencywide office space standard, EPA has amassed considerable space reductions in recent years.

EPA Releases Streamlined Certification Process for Toxics Release Inventory (TRI) Reporting

EPA implemented a new feature in the TRI collection application, [Toxics Release Inventory Made Easy \(TRI-MEweb\)](#) that simplifies the certification process and brings efficiencies into the reporting process. This significantly benefits the more than 22,000 TRI reporting facilities that annually report their releases for more than 650 toxic chemicals. This enhancement enables users to send notification emails to certifying officials, create a new Central Data Exchange (CDX) account if needed, submit an electronic signature agreement and complete the certification process. Facilities are already successfully utilizing the new feature and providing positive feedback. TRI Program staff and managers in the Office of Chemical Safety and Pollution Prevention, reporting facilities and the public may benefit from these enhancements.

EPA Uses Search Term Data to Improve EPA.gov Search Engine

EPA developed reports to [display top search terms](#) audiences use to find information they desire on EPA’s websites. The EPA search team is using the information from these reports to ensure the most popular searches work properly for EPA.gov visitors. Content owners are using the reports to ensure their webpages are tagged with the same terms their audience uses to find content.

Upcoming Major Decisions and Events

2019 Federal Interagency Holocaust Remembrance Program

The 2019 Federal Interagency Holocaust Remembrance Program titled: “Perilous Passages: Two Journeys to Survival,” will be held on Tuesday, April 30, 2019, from 11:30 a.m. - 1:00 p.m. EDT, at the Lincoln Theatre, 1215 U Street, NW, Washington, DC and via [EPAtv](#). The program is free of charge and takes place during the week of Holocaust Remembrance Day. Attendees will have the privilege of hearing from two Holocaust survivors: Thomas Buergenthal and Hans Fisher. Sign Language Interpreters will be present for the event. Individuals requiring reasonable accommodations should contact Kristin Tropp, National Reasonable Accommodation Program, Office of Civil Rights, at 202-559-0006 or tropp.kristin@epa.gov.

Live streaming will be available via [EPAtv](#). A recording of each event will be available the following day on the [EPAtv-on-demand site](#) and cannot be accessed remotely.

2019 Headquarters' Walk to Wellness

The 2019 Headquarters' Walk to Wellness will be held on May 8, 2019. The event will begin at 11:00 a.m. on the William Jefferson Clinton Building 12th Street Lawn with sports competitions, fitness center class demonstrations, wellness experts and health screenings. Keynote remarks at 11:55 a.m. will precede a 1.5-mile group walk around the White House Ellipse at approximately 12:10 p.m.

Federal Employee Viewpoint Survey

For the EPA, the EVS will run from May 16 through June 27, 2019.

Office of Policy

Hot Topics

National Environmental Justice Advisory Council (NEJAC) Meeting

On April 30 - May 2, the NEJAC will convene a public meeting in Bethesda, MD to engage EPA leadership on environmental justice as it relates to Agency activity and to discuss the revitalization of Superfund and other contaminated sites.

Community Revitalization Assistance

In early May, EPA will join the U.S. Department of Agriculture and the Northern Border Regional Commission to announce 14 communities that will receive technical assistance through the Local Foods, Local Places program.

Active Interagency Reviews from OMB	
Subject	OMB Due Date
DOI/BSEE FRM (Pass-back): Oil and Gas and Sulfur Operations in the Outer Continental Shelf—Blowout Preventer Systems and Well Control Revisions	04/25/2019
HHS/CDC Notice (Pass-back): Blood Lead Reference Value	N/A
USDA/APHIS NPRM (Pass-back): Movement of Certain Genetically Engineered Organisms, aka Part 340	04/29/2019
DoD/ACE NPRM (Pass-back): Natural Disaster Procedures: Preparedness, Response, and Recovery Activities of the Corps of Engineers	N/A

Documents Submitted to OFR from April 18 - 25, 2019		
FRL #	Title	Date Sent to OFR
9991-73-OCSPP	40 CFR: Pesticide Experimental Use Permit; Receipt of Application; Comment Request [EPA's receipt of application 89668-EUP-3 from MosquitoMate, Inc., requesting an experimental use permit (EUP) for the bacterium Wolbachia pipientis, Strain wAlbB in live male Aedes aegypti (strain WB1) mosquitoes.]	2019-04-25
9990-20-OEI	40 CFR: Safe Drinking Water Act State Revolving Fund Program/EPA ICR No. 1803.08	2019-04-24
9990-26-OEI	40 CFR: Identification of Non-Hazardous Secondary Materials That Are Solid Waste (Renewal)/ICR 2382.05	2019-04-24
9990-91-OEI	40 CFR: Generic Clearance for Citizen Science and Crowdsourcing Projects (Renewal)/ICR 2521.15	2019-04-24
9992-71-Region 9	40 CFR Parts 49 and 52: Air Plan Revisions; California; Correcting Amendments	2019-04-24
9992-14-Region 9	40 CFR Part 52: Air Plan Approval; California; Antelope Valley Air Quality Management District	2019-04-24
9992-50-Region 1	40 CFR part 52: Air Plan Approval; Maine; Infrastructure State Implementation Plan Requirements for the 2010 Sulfur Dioxide NAAQS	2019-04-24
9992-35-OMS	40 CFR: Microbial Rules (Renewal)/ICR 1895.10	2019-04-24
9992-60-OMS	40 CFR: National and Governmental Advisory Committees	2019-04-24
9992-62-OLEM	40 CFR: Thirty-Fifth Update of the Federal Agency Hazardous Waste Compliance Docket	2019-04-24
9992-74-OMS	40 CFR: General Hazardous Waste Facility Standards (Renewal)/ICR 1571.12	2019-04-24
9992-87-OMS	40 CFR: Generator Standards Applicable to Laboratories Owned by Eligible Academic Entities (Renewal)/ICR 2317.04	2019-04-24
9992-98-OMS	40 CFR: NESHAP for Pulp and Paper Production (Renewal)/ICR 1657.09	2019-04-24
9992-93-Region 5	40 CFR Parts 52 and 81: Air Plan Approval; Indiana; Redesignation of the Indianapolis Sulfur Dioxide Nonattainment Area	2019-04-24
9992-92-Region 5	40 CFR Part 52: Air Plan Approval; Wisconsin; Infrastructure SIP Requirements for the 2012 PM2.5 NAAQS; Interstate Transport	2019-04-24

9992-94-OW	40 CFR Part 127: Updates to NPDES eRule Data Elements to Reflect MS4 General Permit Remand Rule	2019-04-24
9993-00-OMS	Safe Management of Recalled Airbags Rule (Renewal)/ICR 2589.03	2019-04-24
9993-05-OMS	40 CFR: NESHAP for Primary Magnesium Refining (Renewal)/ICR 2098.08	2019-04-24
9967-13-OW	40 CFR Part 131 Federal Aluminum Aquatic Life Criteria Applicable to Oregon	2019-04-23
9989-70-OMS	Reporting in the FIFRA Cooperative Agreement Work Plan and Report Template (Renewal)/ICR 2511.02	2019-04-23
9989-95-OMS	40 CFR: TSCA Section 8(a) Preliminary Assessment Information Rule (PAIR) (Renewal)/ICR 0586.14	2019-04-23
9991-21-OMS	40 CFR: Soil and Non-Soil Fumigant Risk Mitigation (Renewal)/ICR 2451.02	2019-04-23
9991-90-OMS	40 CFR: Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999 (Renewal)/ICR 1901.07	2019-04-23
9992-12-OMS	40 CFR: NSPS for Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced after May 14, 2007 (Renewal)/ICR 2263.06	2019-04-23
9992-22-OMS	40 CFR : NESHAP for Miscellaneous Metal Parts and Products (Renewal)/ICR 2056.06	2019-04-23
9992-41-OMS	40 CFR: NSPS for Coal Preparation and Processing Plants (Renewal)/ICR 1062.15	2019-04-23
9992-59-Region 6	40 CFR 52: Withdrawal of Finding of Substantial Inadequacy of Implementation Plan and of Call for Texas State Implementation Plan Revision - Affirmative Defense Provisions	2019-04-23
9992-11-OA	40 CFR: Notice of Meeting of the EPA Children's Health Protection Advisory Committee (CHPAC)	2019-04-19
9992-27-OA	40 CFR: Request for Nominations of Candidates for EPA's Science Advisory Board Computable General Equilibrium Model Review Panel	2019-04-19
9992-32-ORD	40 CFR: Board of Scientific Counselors (BOSC) Safe and Sustainable Water Resources Subcommittee Meeting – May 2019	2019-04-19
9992-31-ORD	40 CFR: Board of Scientific Counselors (BOSC) Chemical Safety for Sustainability Subcommittee Meeting – May 2019	2019-04-19
9992-33-ORD	40 CFR: Board of Scientific Counselors Executive Committee Meeting – June 2019	2019-04-19
9992-46-OLEM	40 CFR: Planning for Natural Disaster Debris Guidance	2019-04-19
9992-68-OAR	40 CFR: Proposed Information Collection Request; Comment Request; Control of Evaporative Emissions from New and In-Use Portable Gasoline Containers (Renewal), ICR 2213.06, OMB 2060-0597	2019-04-19
9992-65-Region 9	40 CFR Part 52: Air Plan Approval; California; South Coast Air Quality Management District	2019-04-19
9992-70-Region 9	40 CFR Part 52: Determination of Attainment by the Attainment Date; 2006 24-Hour Fine Particulate Matter National Ambient Air Quality Standard; Pinal County, Arizona	2019-04-19
9991-33-OCSP	40 CFR 9 and 721: Restrictions on Discontinued Uses of Asbestos; Significant New Use Rule	2019-04-18
9991-86-OCSP	40 CFR: Bacteriophage active against Xylella fastidiosa; Exemption from the Requirement of a Tolerance	2019-04-18
9992-53-Region 4	40 CFR Parts 52 and 81: Air Plan Approval and Designation of Areas; FL; Redesignation of the Nassau County 2010 1-Hour Sulfur Dioxide Nonattainment Area to Attainment	2019-04-18
9992-55-OW	40 CFR: Proposed Information Collection Request; Comment Request; EPA Application Materials for the Water Infrastructure Finance and Innovation Act.	2019-04-18
9992-57-Region 4	Clean Air Act Operating Permit Program; Petition for Objection to State Operating Permit for Piedmont Natural Gas – Wadesboro Compressor Station (Anson County, North Carolina)	2019-04-18

9992-56-OAR	40 CFR Part 63 National Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing Residual Risk and Technology Review	2019-04-18
9992-58-Region 4	40 CFR Part 52: Air Plan Approval; Kentucky; Jefferson County Existing and New Miscellaneous Metal Parts and Products Surface Coating Operations	2019-04-18
9992-63-Region 3	40 CFR Part 52: Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Removal of Allegheny County Requirements Applicable to Motor Gasoline Volatility in the Allegheny County Portion of the Pittsburgh-Beaver Valley Area	2019-04-18
9992-64-Region 3	40 CFR Part 52: Approval and Promulgation of Air Quality Implementation Plans; Maryland; Infrastructure Requirements for the 2015 Ozone National Ambient Air Quality Standard	2019-04-18

Office of Research and Development

Hot Topics

Next week ORD's senior leadership will meet to continue discussions about the ORD reorganization, our state engagement, and progress on our Strategic Research Action Plans.

Board of Scientific Counselors (BOSC)

This week, the BOSC Safe and Sustainable Water Resources (SSWR) Subcommittee held a public meeting at EPA in Washington, DC to discuss the SSWR Strategic Research Action Plan. The meeting went well and ORD appreciates OW and Region 5 participating.

Region 5 States Visit and Tour EPA-Cincinnati

This week State environmental commissioners from states in Region 5, as well as the Regional Administrator, are visiting EPA-Cincinnati Thursday and Friday. The visit will include overviews of ORD's research and services it can provide to the states. Tours and research overviews will include the Office of Water lab (PFAS method development & PFAS research), the Pilot Plant (HABs and lead research), and the AMSARC lab (lead pipe scale analysis research).

ORD TSCA Support

Staff are supporting methylene chloride through physiologically based pharmacokinetic (PBPK) and benchmark dose (BMD) disciplinary workgroups to address requests for updated modelling. Work for the perchloroethylene evaluation continues with human health characterizations and consultation on analysis techniques including meta-analyses. Staff continue to support review and feedback on hazard sections for methylene chloride and expect more interactions across the evaluations for follow-up on recently completed writing and analysis work.

ORD Earth Day and STEM Activities

1st Annual Science on Earth Day (ScED) Talk Series

On April 24th, ORD's Chelsea Weitekamp presented at the 1st Annual Science on Earth Day (ScED) Talk series as part of EPA-RTP Campus Earth Day activities. Entitled "Why you should ditch antibacterial soap," she described the results from a research collaboration and discussed the bi-directional impacts of exposure to antibacterial chemicals on microbial communities in larval zebrafish.

EPA-RTP STEM Outreach Program

On April 28th, EPA-RTP's Community Engagement and STEM Education Program will host a booth at the Durham Earth Day Festival at Central Park in Durham, N.C.

On April 29th, the Program will present hands-on activities about air and water quality to 7th and 8th grade students at Little River K-8 School in Durham.

On April 30th and May 1st, the Program will host an EPA booth with hands-on air quality activities at the Education Days event in Durham. Education Days provides hundreds of elementary, middle and high school students with opportunities to learn outside of the classroom setting with interactive learning stations from local organizations.

On May 3rd, the Program will present about electric/hybrid vehicles and EPA careers at Mills Park Middle School's Truck Fair in Cary, N.C. Also on May 3rd, the Program will present about EPA careers at Sanford Creek Elementary School's Career Day in Rolesville, N.C.

Office of Water Hot Topics

Clean Water Act (CWA) Section 401

This week, OW facilitated outreach to states, tribes and other federal agencies on guidance and development of revisions to the CWA Section 401 water quality certification regulations. This outreach is in response to the Executive Order on Energy Infrastructure on April 10, which directs the EPA to issue new guidance for federal permitting agencies and state and tribal authorities within 60 days, and to publish proposed rules to clarify CWA Section 401 within 120 days. OW's outreach included meeting with state associations to initiate a 30-day Federalism period beginning April 23; initiating a 30-day tribal consultation period (April 24-May 24) through a letter sent from the Assistant Administrator for the Office of Water, David Ross, to tribal leaders; and holding a coordination meeting with other federal agencies responsible for issuing licenses and permits subject to Section 401 of the CWA to discuss the Executive Order on April 24.

2019 State Revolving Fund (SRF) Allotment

On April 22, the EPA announced the availability of the final 2019 Drinking Water SRF (DWSRF) capitalization grant allotments, as authorized by Congress in the 2019 Consolidated Appropriations Act (Public Law 116-6). Over \$1.1 billion is now available to the 50 states and Puerto Rico to further capitalize their public health-focused DWSRF programs. In addition, \$23 million is available for tribal water systems and \$28 million is available for the District of Columbia and territorial water systems. It is anticipated that the state programs will both apply for and receive all capitalization grants before September 30, 2019. The EPA also announced that over \$1.6 billion is now available for states and territories to further capitalize their Clean Water SRF (CWSRF) programs. Approximately \$32 million is available to Indian Tribes.

Announcement of Allocations for WIIN §2104 and §2107

Next week, the EPA will announce the details for the Assistance for Small and Disadvantaged Communities Drinking Water Grant authorized under the Water Infrastructure Improvements for the Nation Act (WIIN). The EPA will also announce how \$86.5 million for this grant and the previously announced WIIN Lead Testing in Schools grant will be distributed between states and territories.

Steam Electric Proposed Rule

As early as May 6, OW anticipates sending the Steam Electric Proposed Rule to OP for transmittal to OMB. The Final Agency Review for this rule is scheduled to be completed by April 25. After considering two petitions for reconsideration, the Agency has initiated a rulemaking that proposes to revise the effluent limitations and pretreatment standards for existing sources in the 2015 Steam Electric rule that apply to bottom ash transport water and flue gas desulfurization wastewater.

Upcoming Major Decisions and Events

Lake Okeechobee

Next week, Principal Deputy Assistant Administrator, Anna Wildeman, will meet with the State of Florida and the National Cattlemen's Beef Association to discuss excess nutrient reduction and see first-hand local efforts to address algal blooms in Lake Okeechobee. Closed press.

Local Government Advisory Committee (LGAC) Meeting

Next week, Mr. Ross will present OW's priorities for 2019 at LGAC's Annual Meeting. Deputy Assistant Administrator Lee Forsgren and Deputy Assistant Secretary of the Army for Civil Works Ryan Fisher will engage a discussion with LGAC members on EPA/Corps of Engineers joint efforts, and Senior Science Advisor, Owen McDonough will meet with LGAC's Water Subcommittee to discuss their charge on the WOTUS rulemaking and harmful algal blooms. Closed press.